

**FIFTY-FIRST DAY**

(Wednesday, April 10, 1957)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin	Lock
Ashley	Martin
Bracewell	Moffett
Bradshaw	Moore
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent—Excused

Owen

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was approved.

**Senate Resolution 343**

Senator Krueger offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the Government Class of the Seventh Grade of Bellville Elementary School, accompanied by their teachers and sponsors, Mr. William Fischer, Mr. Edwin Bohne, Mrs. J. J. Click, and Mrs. Ernie Koy; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, prop-

erly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Krueger by unanimous consent presented the students, teachers and sponsors to the Members of the Senate.

**Message from the House**

Hall of the House of Representatives,  
Austin, Texas,  
April 10, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House refused to concur in Senate amendments to House Bill No. 641 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

The House has appointed the following Conference Committee on H. B. No. 641: Mann, Carlton Moore, Elliott, Heflin, and Cole.

The House has concurred in Senate amendments to House Bill No. 518 by vote of 129 yeas, 2 nays.

H. C. R. No. 85, Suspending Joint Rules to permit the House to set a local and uncontested bill calendar on Wednesday, April 10, 1957.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives.

**Senate Resolution 344**

Senator Rogers offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate Mr. Bill Hochstein of Nazareth, Texas Castro County; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate and the privileges of the floor for the day.

The resolution was read and was adopted.

Senator Rogers by unanimous consent presented Mr. Hochstein to the Members of the Senate.

#### Senate Resolution 345

Senator Bradshaw offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate, Mrs. E. B. Cartwright of Weatherford, Texas; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That her presence be recognized by the Senate of Texas and that she be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Bradshaw by unanimous consent presented Mrs. Cartwright to the Members of the Senate.

(President in the Chair.)

#### Reports of Standing Committees

Senator Willis submitted the following report:

Austin, Texas,  
April 9, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Education, to whom was referred S. B. No. 186, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WILLIS, Chairman.

Senator Bracewell submitted the following reports:

Austin, Texas,  
April 10, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred S. B. No. 429, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BRACEWELL, Chairman.

Austin, Texas,

April 10, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred S. B. No. 326, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended, and be printed.

BRACEWELL, Chairman.

Austin, Texas,

April 10, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred S. B. No. 422, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BRACEWELL, Chairman.

Senator Colson submitted the following report:

Austin, Texas,  
April 9, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We your Committee on Public Health, to whom was referred S. B. No. 425, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLSON, Chairman.

#### Senate Concurrent Resolution 62 on First Reading

Senator Phillips moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a resolution, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Gonzalez
Ashley	Hardeman
Bracewell	Hazlewood
Bradshaw	Herring
Colson	Hudson
Fly	Kazen
Fuller	Krueger

Lane	Reagan
Lock	Roberts
Martin	Rogers
Moffett	Secrest
Moore	Smith
Parkhouse	Weinert
Phillips	Willis
Ratliff	

Absent

Wood

Absent—Excused

Owen

The following resolution was then introduced, read first time and referred to the Committee indicated:

By Senator Phillips:

S. C. R. No. 62, Granting James Barton Brown permission to sue the State of Texas.

Whereas, James Barton Brown of Texas City, Texas, alleges that while driving his automobile he was stopped by a State Highway Patrolman for speeding, and said Highway Patrolman instead of directing him to drive his car to a point of safety somewhere off of the shoulder of the road, said Highway Patrolman stopped him and ordered him to hold his car at a standstill in the middle of the road where it was then struck by another car in the heavy traffic; and

Whereas, James Barton Brown alleges that as a result of said collision he sustained personal injuries and considerable property damages; and

Whereas, James Barton Brown desires to sue the State of Texas to determine if the State of Texas is liable for damages, and if so, to determine the amount of such damage; therefore, be it

Resolved, By the Senate, the House of Representatives of the State of Texas concurring, that James Barton Brown be, and he is hereby given and granted permission to sue the State of Texas in any Court of competent jurisdiction to determine whether or not the State of Texas is liable as a result of the above alleged act, and further to determine what damage, if any, that James Barton Brown is entitled to recover from the State of Texas by reason of any wrongful act committed by the State of Texas or any of its agencies or agents in con-

nection with the above described act; and be it further

Resolved, That service of citation and any other legal process shall be served upon both the Director of the Department of Public Safety and the Attorney General of the State of Texas. Service of process upon these two officers shall have the same force and effect as the service of process upon a defendant in any other civil case, according to the Rules of Civil Procedure promulgated and adopted by the Supreme Court of Texas; and be it further

Resolved, That any party to the suit shall have the right of appeal as is provided for in other civil cases; and be it further

Resolved, That the sole purpose of this resolution is to grant permission to James Barton Brown to bring suit against the State of Texas. No admission of liability or any fact is made in any way by the passage of this Resolution; but on the contrary, it is specifically provided that the facts upon which James Barton Brown seeks to recover must be proved in court as in other civil cases; and be it further

Resolved, That any and all defenses which the State of Texas may have shall be pleaded by the State, and none of the defenses which the State of Texas may have are in any way waived by the passage of this Resolution.

The resolution was read and was referred to the Committee on Jurisprudence.

#### Senate Resolution 346

Senator Herring offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the Civics Class of William B. Travis High School in Austin, Travis County, Texas, accompanied by their teacher, Mrs. Willard B. Nitschke; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recog-

nize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed the class in recognition of their visit.

The resolution was read and was adopted.

Senator Herring by unanimous consent presented the students and Mrs. Nitschke to the Members of the Senate.

#### Senate Resolution 347

Senator Hardeman offered the following resolution:

Whereas, We deem it necessary and to the best interests of the people of the State of Texas that a Senate General Investigating Committee be appointed, having the powers as hereinafter set forth; now, therefore, be it

Resolved, By the Senate of the State of Texas:

Section 1. That the Lieutenant Governor be, and he is hereby authorized to appoint a committee of five Members of the Senate, one of which shall be designated Chairman, to sit at such times and places between this date and the date of the convening of the Regular Session of the 56th Legislature as may to said committee seem necessary and proper, provided, however, that said committee shall only be called into session and sit for the purpose of transacting business and holding hearings upon the call of the Chairman on a majority vote of the entire committee. In the event the Chairman shall fail or refuse to call the committee after having been requested to do so by a majority thereof, then the committee may be called by a majority thereof. The committee shall continue the inquiries heretofore begun by the committee heretofore authorized and appointed, relative to law violations and the administration of all state laws and any of the matters pertaining to or affecting the revenues of the State government, and the expenditure of taxes, fees, and assessments, and to inquire into any other affairs and activities of governmental departments and institutions of whatever kind and character, as such activities in any way affect the financial or other welfare of the government and the citizens of Texas. Said com-

mittee shall make a study of any other governmental activity, and shall have authority to investigate and inquire into any such matters.

Section 2. That said committee shall have the power to formulate its own rules of procedure and evidence, and to provide for its own hours of meeting, recessing, and adjournment. Provided, however, that the rules of evidence to be followed shall be practically the same as followed in the courts of this State, and the committee is authorized to hold executive sessions, within its discretion, and then the committee may be governed by the rules of evidence applicable to any grand jury in this State.

Section 3. The committee shall act and function upon a majority vote of its entire membership, and not otherwise. It shall have power to issue process for witnesses to any place in this state, and to compel their attendance, and produce all books and records, and upon disobedience of any subpoena the said committee shall have the power to issue attachments which may be addressed to and served by either the sergeant-at-arms appointed by said committee or any employee of the Department of Public Safety or any sheriff or any constable of this State; and said committee shall have authority to cite for contempt anyone disobeying said process and to punish for such contempt in the same manner as provided for by general law. Said committee shall have power to inspect and make copies of any books, records, or files of the departments and institutions and any and all other instruments and documents pertinent to the matter under investigation by said committee including any county or political subdivision of this State, and shall also have power to examine and audit the books of any person, firm, or corporation having dealings with departments and institutions under investigation by said committee. The committee shall have power to administer oaths and affirmations and fix the bonds of attached witnesses; and the committee shall further have all the powers necessary in order to accomplish the purposes for which it is appointed. Three members of such committee shall constitute a quorum for the transaction of official business.

Section 4. The witnesses attending under process shall be allowed the same mileage and per diem as is al-

lowed witnesses before any grand jury in this State.

Section 5. Said committee shall have power and authority to employ and compensate all necessary investigators, auditors, clerks, stenographers, and other necessary employees, and it shall be the duty of said committee to make and keep a record of its investigations.

Section 6. That said committee may call upon the Attorney General's Department, Auditing Department, and all other departments for assistance and advice, and it shall be the duty of the Attorney General's Department to render opinions, and give counsel and assistance to said committee on request of chairman or members of said committee.

Section 7. That said committee shall submit a report in writing to the 56th Legislature, and make such recommendations as it may choose to make. The compensation and expenses herein provided for incident to the work of such committee shall be paid out of the appropriation for mileage and per diem and contingent fund of the 55th Legislature and out of any fund otherwise appropriated by said session of said Legislature for such purpose, upon sworn account by persons entitled to such pay, when approved by the chairman of said committee; and sufficient money is hereby appropriated out of the mileage and per diem and contingent fund of said 55th Legislature to meet the payment of such per diem and expenses of the members of said committee, witnesses, fees, and other expenses incident to said investigation.

The resolution was read.

On motion of Senator Hardeman and by unanimous consent the resolution was considered immediately and was adopted.

#### Senate Resolution 348

Senator Martin offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the following members of the Seventh Grade Social Studies Class of O'Henry Junior High School, Austin, Texas:

Thomas Overstreet, Anne Galloway, Sandra Hill, Carmen Mercado, David Bell, Sheryl Behene, Barry Snell, Lynn Ann Roberts, Gail Watson, Tedford Griffith, Claudia White, Sharon

Schooley, Janet West, Sue Yarbrough, John Berkman, Carolyn Drake, Larry Jackson, Betsy Williams, Anne Lovell, Sherry Martin, Steve Spaw, Carolyn Bell, Dale Roper, Chuck Hibbets, Diane Adair, Penny Acres, John Dickens, accompanied by their teacher, Mrs. Inez Cummings, and practice teacher, Miss Nancy Shepherd; and

Whereas, These students are on an educational tour of the Capitol Building; and

Whereas, This fine group of young American citizens is here to observe and to learn firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

#### Senate Bill 442 on First Reading

Senator Secrest moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

#### Yeas—29

Aikin	Lock
Ashley	Martin
Bracewell	Moffett
Bradshaw	Moore
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	

#### Absent

Wood

#### Absent—Excused

Owen

The following bill was then introduced, read first time and referred to the committee indicated:

By Senators Secrest and Moore:

S. B. No. 442, A bill to be entitled "An Act to create the Elm Creek Watershed Authority as a conservation and reclamation district in Bell, Milam, Falls and McLennan Counties under the provisions of Article XVI, Section 59 of the Constitution of Texas; prescribing the duties, powers, functions, and procedures for the district, including the right to participate in the organization of subordinate districts to carry out the functions of the master district under certain circumstances and conditions; providing for the incurring of obligations and the methods for the selection of manner for paying such obligations of the master and subordinate districts; providing for a governing body and prescribing their duties; adopting certain provisions of the general law; enacting other provisions required for the functioning of the master and subordinate districts; providing a severance clause; and declaring an emergency."

To the Committee on Water and Conservation.

#### Resolution Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolution:

S. C. R. No. 58, Commending students and ex-students of A. and M. College on Muster Day.

#### Conference Committee on House Bill 641

Senator Bracewell called from the President's table for consideration at this time the request of the House for a Conference Committee to adjust the differences between the two Houses on H. B. No. 641 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following conferees on the bill on the part of the Senate:

Senators Bracewell, Reagan, Phillips, Hazlewood and Kazen.

#### Senate Concurrent Resolution 63

Senator Lock offered the following resolution:

S. C. R. No. 63, Recalling S. B. No. 94 from the Governor's office for correction.

Whereas, Senate Bill 94 was recently passed by both the Senate and the House of Representatives and is now on the desk of the Governor, and

Whereas, Certain defects which should be corrected have shown up in the enrolled copy of said Bill; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that the Governor be, and is hereby requested to return said Senate Bill 94 to the Senate for correction and further consideration and that the President of the Senate and the Speaker of the House be authorized to withdraw their signatures therefrom.

The resolution was read.

On motion of Senator Lock and by unanimous consent the resolution was considered immediately and was adopted.

#### House Bill 292 on Second Reading

On motion of Senator Weinert and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 292, A bill to be entitled "An Act authorizing and directing the Board of Regents of the State Teachers Colleges to execute and deliver to the State Highway Commission rights of way easements to four tracts of land in Hays County for the construction and maintenance of U. S. Highway 81 extending along and across certain State property owned by the State of Texas for the use and benefit of Southwest Texas State Teachers College; and declaring an emergency."

The bill was read second time and passed to third reading.

#### House Bill 292 on Third Reading

Senator Weinert moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that

H. B. No. 292 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—30**

Aikin	Lock
Ashley	Martin
Bracewell	Moffett
Bradshaw	Moore
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

**Absent—Excused**

Owen

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—30**

Aikin	Lock
Ashley	Martin
Bracewell	Moffett
Bradshaw	Moore
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

**Absent—Excused**

Owen

**Senate Resolution 349**

Senator Rogers offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate Mr. Jack Spray of Whiteflat, Texas, County Commissioner of Motley County; and

Whereas, We desire to welcome this

distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Rogers by unanimous consent presented Mr. Spray to the Members of the Senate.

**Senate Resolution 350**

Senator Gonzalez offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Mrs. Edith Wing Peacock and Mrs. C. O. Trent, of San Antonio; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Gonzalez by unanimous consent presented Mrs. Peacock and Mrs. Trent to the Members of the Senate.

**House Bill 53 on Second Reading**

Senator Herring asked unanimous consent to suspend the regular order of business and take up H. B. No. 53 for consideration at this time.

There was objection.

Senator Herring then moved to suspend the regular order of business and take up H. B. No. 53 for consideration at this time.

The motion prevailed by the following vote:

**Yeas—28**

Aikin	Hazlewood
Ashley	Herring
Bracewell	Hudson
Bradshaw	Kazen
Colson	Krueger
Fuller	Lane
Gonzalez	Lock
Hardeman	Martin

Moffett	Rogers
Moore	Secrest
Phillips	Smith
Ratliff	Weinert
Reagan	Willis
Roberts	Wood

Nays—1

Parkhouse

Absent

Fly

Absent—Excused

Owen

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 53, A bill to be entitled "An Act amending Section 6a of Chapter 88, Acts of the 41st Legislature, Second Called Session, 1929, as amended (codified as Article 6675a-6a of Vernon's Texas Civil Statutes), relating to registration of commercial motor vehicles used for certain farm purposes to provide that additional use of such vehicles for passenger transportation, without charge, shall not prevent their registration as farm vehicles; describing the nature of information which may be required in an affidavit or written statement furnished in connection with application for such registration; repealing conflicting laws; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### Record of Vote

Senator Parkhouse asked to be recorded as voting "Nay" on passage of H. B. No. 53 to third reading.

#### House Bill 53 on Third Reading

Senator Herring moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 53 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Colson
Ashley	Fuller
Bracewell	Gonzalez
Bradshaw	Hardeman

Hazlewood	Phillips
Herring	Ratliff
Hudson	Reagan
Kazen	Roberts
Krueger	Rogers
Lane	Secrest
Lock	Smith
Martin	Weinert
Moffett	Willis
Moore	Wood

Nays—1

Parkhouse

Absent

Fly

Absent—Excused

Owen

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Senate Bill 443 on First Reading

Senator Weinert moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lock
Ashley	Martin
Bracewell	Moffett
Bradshaw	Moore
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent—Excused

Owen

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Weinert:

S. B. No. 443, A bill to be entitled "An Act relating to the State Em-



ployees Retirement System, amending Acts of the 50th Legislature, Regular Session, 1947, Chapter 352, Section 5, by adding a new subsection to be known as J, providing that any member of the State Employees Retirement System who has accepted service retirement and is subsequently appointed by the Governor, with consent of the Senate, to a public office, and resumes public employment, shall not forfeit his rights as a retired State employee; etc.; and declaring an emergency."

To the Committee on Jurisprudence.

#### House Bill 31 on Second Reading

On motion of Senator Moore and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 31, A bill to be entitled "An Act amending Subsection (2) of Section 23 of the Uniform Narcotic Drug Act, Chapter 169, Acts of the 45th Legislature, Regular Session, as amended, providing penalties for certain offenses involving minors under 19 years of age; and declaring an emergency."

The bill was read second time and passed to third reading.

#### House Bill 31 on Third Reading

Senator Moore moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that House Bill No. 31 be placed on its third reading and final passage.

The motion prevailed by the following vote:

##### Yeas—26

Aikin	Lock
Ashley	Martin
Bradshaw	Moffett
Colson	Moore
Fuller	Parkhouse
Gonzalez	Phillips
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Roberts
Hudson	Rogers
Kazen	Secrest
Krueger	Weinert
Lane	Willis

##### Absent

Bracewell	Smith
Fly	Wood

##### Absent—Excused

Owen

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

##### Yeas—30

Aikin	Lock
Ashley	Martin
Bracewell	Moffett
Bradshaw	Moore
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

##### Absent—Excused

Owen

#### Senate Bill 444 on First Reading

Senator Herring moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

##### Yeas—29

Aikin	Lock
Ashley	Martin
Bracewell	Moffett
Bradshaw	Moore
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	

##### Absent

Wood

##### Absent—Excused

Owen

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Herring:

S. B. No. 444, A bill to be entitled "An Act requiring every report, annual report, return, declaration, statement, or other document required to be made by any person, firm, association, company, corporation or other insurance organization under any provision of the Insurance Code (Acts 1951, 52nd Leg., Ch. 491, p. 868, as amended) to be verified by written declaration under penalties of perjury; prescribing the form of verification; providing penalties as against any person who wilfully makes such verification as to matters which are not true in every material matter, or who wilfully aids or assists in, or procures, or counsels, or advises the preparation thereof as to matters which are fraudulent, false or incorrect in any material way, or who simulates or falsely or fraudulently executes or signs any such report, annual report, return, declaration, statement or document, or who aids in, or connives in the execution thereof; declaring that a conviction therefor, punished by fine and imprisonment in the penitentiary; providing a savings clause; and declaring an emergency."

To the Committee on State Affairs.

#### Report of Standing Committee

Senator Weinert by unanimous consent submitted the following report:

Austin, Texas,  
April 10, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred S. C. R. No. 62, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

#### Senate Resolution 351

Senator Gonzalez offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the Government Class of Trinity University, San Antonio, Texas, accompanied by their teacher and sponsor, Prof. Maury Maverick, Jr.; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Gonzalez by unanimous consent presented the students and Mr. Maverick to the Members of the Senate.

#### Conference Committee on House Bill 134

Senator Willis called from the President's table for consideration at this time the request of the House for a Conference Committee to adjust the differences between the two Houses on H. B. No. 134 and moved that the request be granted.

The motion to grant the request prevailed.

#### House Bill 188 on Second Reading

On motion of Senator Ashley and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its Second Reading and passage to third reading:

H. B. No. 188, A bill to be entitled "An Act relating to licensing of law school graduates upon separation of military service; amending Article 307-A of the Revised Civil Statutes of Texas; providing that law licenses shall be granted without requirement of passage of the State Bar Examination and setting out the conditions thereon; providing a repealing clause; providing a severability clause and declaring an emergency."

The bill was read second time.

Senator Ashley offered the following amendment to the bill:

Amend House Bill 188 by striking out all of Section 2 and substituting in lieu thereof the following:

"Sec. 2. Any person now serving on

active duty in the military service of the United States and any person who enters active duty in the military service of the United States prior to November 1, 1957 and serves for a period of at least ninety (90) days and who has graduated from a law school given unconditional approval on the official list of approved law schools filed by the Supreme Court of Texas with the Clerk of the Court and who meets the character requirements prescribed by the rules promulgated by the Supreme Court of Texas and who has been a resident of the State of Texas for at least one year prior to graduation from law school and who has commenced his military service prior to the date set for the second State Bar examination next following the date of his graduation may file application for a license with the Board of Law Examiners of this state. Upon filing of such an application, which shall be in the form of an affidavit by such applicant stating that he has met all requirements heretofore set out in this Section of this Act, and upon the filing of an affidavit signed by said applicant's Commanding Officer stating that such applicant has honorably and continuously served on active duty in the military service for a period of at least three (3) months such applicant shall be issued a law license."

ASHLEY  
WILLIS

The amendment was adopted.

Senator Lane offered the following amendment to the bill:

Amend House Bill No. 188 by adding a new section, to be numbered Section 2, and, beginning with the original Section 2, renumbering the succeeding sections to conform, as follows:

"Section 2. Law licenses shall be granted, without requirement of passage of the State Bar Examination, to any citizen of Texas (a) who has served a minimum of three (3) sessions as a Member of the Texas Legislature, and (b) who is a veteran of World War I and World War II, and (c) who is a member of the Bar in a state bordering on Texas, and (d) who has been a resident of Texas for at least twenty (20) years."

The amendment was adopted.

On motion of Senator Ashley and

by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

#### House Bill 188 on Third Reading

Senator Ashley moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that House Bill No. 188 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—26

Aikin	Lane
Ashley	Lock
Bradshaw	Martin
Colson	Moffett
Fly	Moore
Fuller	Parkhouse
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

#### Nays—1

Bracewell

#### Absent

Phillips	Wood
Rogers	

#### Absent—Excused

Owen

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—27

Aikin	Lock
Ashley	Martin
Bradshaw	Moffett
Colson	Moore
Fly	Parkhouse
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	

**Nays—1**

Bracewell

**Absent**

Phillips

Wood

Absent—Excused

Owen

**Message from the House**

Hall of the House of Representatives,  
Austin, Texas,  
April 10, 1957.

Hon Ben Ramsey, President of the  
Senate.

Sir: I am directed by the House to  
inform the Senate that the House has  
passed the following:

The House has adopted the Con-  
ference Committee Report on House  
Bill No. 641 by a vote of 135 ayes,  
0 noes.

Respectfully submitted,

DOROTHY HALLMAN,

Chief Clerk, House of Representatives.

**Motion to Place House Concurrent Resolution No. 22 on Second Reading**

Senator Bracewell asked unanimous  
consent to suspend the regular order  
of business and take up H. C. R. No.  
22 for consideration at this time.

There was objection.

Senator Bracewell then moved to  
suspend the regular order of business  
and take up H. C. R. No. 22 for con-  
sideration at this time.

The motion was lost by the follow-  
ing vote (not receiving two-thirds  
vote of the Members present):

**Yeas—14**

Ashley	Hudson
Bracewell	Lane
Bradshaw	Lock
Colson	Martin
Fly	Parkhouse
Fuller	Ratliff
Hardeman	Weinert

**Nays—13**

Aikin	Phillips
Gonzalez	Reagan
Hazlewood	Roberts
Herring	Rogers
Kazen	Secrest
Moffett	Willis
Moore	

**Absent**Krueger  
Smith

Wood

Absent—Excused

Owen

**Senate Resolution 352**

Senator Hazlewood offered the fol-  
lowing resolution:

Whereas, We are honored today to  
have as visitors in the Senate the  
Junior and Senior Classes of Palo  
Duro High School, Amarillo, Texas,  
and their sponsor, Mrs. J. D. Haw-  
kins; and

Whereas, We desire to welcome  
these distinguished guests to the Cap-  
itol Building and Capital City; now,  
therefore, be it

Resolved, That their presence be  
recognized by the Senate of Texas,  
and that they be extended an official  
welcome.

The resolution was read and was  
adopted.

Senator Hazlewood by unanimous  
consent presented the students and  
Mrs. Hawkins to the Members of the  
Senate.

**Presentation of Guests**

Senator Bradshaw by unanimous  
consent presented students of the  
Government Class of North Texas  
State Teachers College of Denton  
with their teacher, former Senator  
Robert L. Proffer, to the Members of  
the Senate.

**House Bill 434 on Second Reading**

Senator Secrest asked unanimous  
consent to suspend the regular order  
of business and take up H. B. No. 434  
for consideration at this time.

There was objection.

Senator Secrest then moved to sus-  
pend the regular order of business  
and take up H. B. No. 434 for con-  
sideration at this time.

The motion prevailed by the follow-  
ing vote:

**Yeas—22**

Aikin	Hazlewood
Ashley	Herring
Colson	Hudson
Fuller	Kazen
Hardeman	Krueger

Lane	Reagan
Lock	Roberts
Martin	Rogers
Moffett	Secrest
Moore	Weinert
Phillips	Willis

## Nays—5

Bracewell	Parkhouse
Bradshaw	Ratliff
Fly	

## Absent

Gonzalez	Wood
Smith	

## Absent—Excused

Owen

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 434, A bill to be entitled "An Act authorizing the State Department of Health to provide Planning Assistance for Municipalities of 25,000 population or less and to accept grants therefor under the provisions of the Federal Housing Act of 1954 or from other sources; and declaring an emergency."

The bill was read second time.

Senator Secrest offered the following amendment to the bill:

Amend House Bill 434 by striking out the last sentence of Section 1, and substituting in lieu thereof the following:

"The regular functions of the Texas State Department of Health may be utilized on this program, provided that any additional employees shall be paid from sources other than General revenue funds of the state."

The amendment was adopted.

Senator Hardeman offered the following amendment to the bill:

Amend H. B. 434 by striking out subsection (c) of Section 1 of H. B. 434 and substituting therefor the following:

"(c) to apply for and accept grants from other sources, except the Federal Government, to study, or report, and to contract, with respect thereto."

The amendment was read.

Senator Secrest moved to table the amendment.

The motion to table prevailed by the following vote:

## Yeas—15

Aikin	Moffett
Ashley	Moore
Colson	Phillips
Fly	Roberts
Gonzalez	Rogers
Herring	Secrest
Kazen	Willis
Krueger	

## Nays—10

Bracewell	Parkhouse
Bradshaw	Ratliff
Hardeman	Reagan
Lane	Weinert
Martin	Wood

## Absent

Fuller	Lock
Hazlewood	Smith
Hudson	

## Absent—Excused

Owen

Question—Shall H. B. No. 434 be passed to third reading?

## Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
April 10, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 23, Requesting the Texas Employment Commission to prepare a classification plan for work and positions in the state government, etc.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives.

### House Concurrent Resolution 85 on Second Reading

The President laid before the Senate at this time the following resolution:

H. C. R. No. 85, Suspending Joint Rules permitting the House to set a local and uncontested bill calendar on Wednesday, April 10, 1957.

The resolution was read and was adopted.

**House Bills on First Reading**

The following bills received from the House, were read the first time and referred to the committees indicated:

H. B. No. 100, To the Committee on State Affairs.

H. B. No. 476, To the Committee on State Affairs.

H. B. No. 455, To the Committee on Jurisprudence.

H. B. No. 392, To the Committee on Public Health.

H. B. No. 621, To the Committee on Game and Fish.

H. B. No. 822, To the Committee on Jurisprudence.

H. B. No. 865, To the Committee on Game and Fish.

H. B. No. 615, To the Committee on Game and Fish.

H. B. No. 616, To the Committee on Game and Fish.

H. B. No. 645, To the Committee on Legislative, Congressional and Judicial Districts.

H. B. No. 709, To the Committee on Water and Conservation.

H. B. No. 711, To the Committee on Game and Fish.

H. B. No. 774, To the Committee on Legislative, Congressional and Judicial Districts.

H. B. No. 781, To the Committee on Game and Fish.

H. B. No. 783, To the Committee on Legislative, Congressional and Judicial Districts.

H. B. No. 287, To the Committee on Banking.

H. B. No. 165, To the Committee on Jurisprudence.

H. B. No. 201, To the Committee on Game and Fish.

H. B. No. 256, To the Committee on Insurance.

H. B. No. 295, To the Committee on Jurisprudence.

H. B. No. 539, To the Committee on Jurisprudence.

H. B. No. 356, To the Committee on Jurisprudence.

H. B. No. 486, To the Committee on Legislative, Congressional and Judicial Districts.

H. B. No. 604, To the Committee on Legislative, Congressional and Judicial Districts.

H. B. No. 605, To the Committee on Legislative, Congressional and Judicial Districts.

H. B. No. 389, To the Committee on Game and Fish.

H. B. No. 581, To the Committee on Agriculture and Livestock

H. B. No. 390, To the Committee on Game and Fish.

H. B. No. 438, To the Committee on Legislative, Congressional and Judicial Districts.

H. B. No. 470, To the Committee on Jurisprudence.

H. B. No. 532, To the Committee on Privileges and Elections.

H. B. No. 337, To the Committee on Legislative, Congressional and Judicial Districts.

H. B. No. 441, To the Committee on State Affairs.

H. B. No. 449, To the Committee on State Affairs.

H. B. No. 716, To the Committee on Jurisprudence.

**Message from the House**

Hall of the House of Representatives,  
Austin, Texas,  
April 10, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 63, Requesting the return of Senate Bill 94 from the Governor.

Respectfully submitted,  
DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

**Senate Resolution 353**

Senator Martin offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate J. L. Standefer, Sr.; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate.

The resolution was read and was adopted.

#### Notice of Executive Session

Senator Lock asked unanimous consent that the Senate meet in Executive Session at 11:00 o'clock a.m. tomorrow to consider Nominations of the Governor.

There was no objection offered.

#### Senate Resolution 354

Senator Gonzalez offered the following resolution:

Whereas, We are honored today to have in the Chamber Captain Al Az-zawee, Capt. Hussayni, Lt. Nani, all of Iraq, accompanied by Capt. Clint Peoples, Texas Rangers; and

Where, These guests are on an educational tour of the Capitol Building and the Capital City; now, therefore, be it

Resolved, That we officially recognize and welcome this group and commend them for their interest, and that a copy of this resolution, properly indorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Gonzalez by unanimous consent presented the distinguished guests to the Members of the Senate.

#### Adjournment

On motion of Senator Aikin the Senate at 12:28 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

#### FIFTY-SECOND DAY

(Thursday, April 11, 1957)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Martin
Ashley	Moffett
Bracewell	Moore
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

#### Absent—Excused

Hazlewood	Owen
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A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was approved.

#### Leaves of Absence

Senator Hazlewood was granted leave of absence for today on account of important business on motion of Senator Hardeman.

Senator Owen was granted leave of absence for today and the record of yesterday on account of important business on motion of Senator Hardeman.

#### Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
April 11, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 44, Granting permission to Mrs. M. B. Buford, et al., to sue the State of Texas.

H. J. R. No. 34, A joint resolution "Proposing an amendment to the Constitution of the State of Texas by amending Section 5 of Article VII to remove therefrom the provision for transfer of funds not to exceed one (1) per cent annually from the Permanent School Fund to the Available School Fund and by adding a new section after Section 5 of Article VII of the Constitution of the State of